

**REMARKS**

Claim 1, 14 and 15 are amended herein. Claims 1-22 remain pending in the application.

**Claim 1-4, 7, 9-11, 14-17, 19, 20 and 22 over Chamberlin in view of Villa-Real and Sacca**

In the Office Action, claim 1-4, 7, 9-11, 14-17, 19, 20 and 22 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Chamberlin et al., U.S. Patent No. 4,817,127 ("Chamberlin") in view of Villa-Real, U.S. Patent No. 4,481,382 ("Villa-Real"), and further in view of Sacca, U.S. Patent No. 5,692,042 ("Sacca"). The Applicants respectfully traverse the rejection.

The Applicants respectfully suggest that the need to combine as many as three (3) separate patents to allegedly arrive at the presently claimed invention is evidence of the non-obviousness of the present invention.

Claims 1-4, 7 and 9-11 recite, *inter alia*, a record module that is adapted to record a receive signal from a telephone line during a conversation on a speakerphone where a message playback signal relating to a user pre-recorded voice message is combined with a receive signal by a summer while allowing simultaneous hearing by a local user of the speakerphone.

Chamberlin appears to disclose a modular dictation/transcription system comprised of a modular construction, i.e., composed of a set of modules which are detachably connectable to each other (Abstract). One of the modules includes a telephone module that has speakerphone capability (Chamberlin, col. 13, lines 29-31). The telephone module can function as a standalone telephone or interact in conjunction with a record/playback module and/or display module (Chamberlin, col. 13, lines 25-28). The record/playback module can enter into a Record mode as soon as a telephone line is seized allowing remote transcription capability (Chamberlin, col. 14, lines 1-10).

The Office Action correctly acknowledged that Chamberlin fails to disclose a message playback signal that is combined with a receive signal by a summer, allowing simultaneously hearing by a local user of a speakerphone (Office Action, page 3). The Office Action relies on Villa-Real and Sacca to

allegedly make up for the deficiencies in Chamberlin to arrive at the claimed invention. The Applicants respectfully disagree.

Villa-Real appears to disclose a cordless musical extension telephone unit with programmable capabilities (Abstract). A singular or a plurality of respective data blocks relevant to future phone calls to be made can be entered into its memory so that when a call comes due, an integrated alarm system reminds a user to make the phone call without delay (Villa-Real, Abstract). The cordless musical extension telephone unit is capable of recording telephone conversations between calling parties, and in conjunction with this function, a synthesized intelligible voice is automatically announced informing the parties that the phone conversation is being recorded (Villa-Real, col. 2, lines 19-28; col. 12, line 57-col. 13, line 18).

The Office Action relies on the Villa-Real to disclose playing back a pre-recorded advisory message during a telephone conversation when a conversation recording button is activated (Office Action, page 3). However, claims 1-4, 7 and 9-11 fail to recite playing back a pre-recorded advisory message during a telephone conversation when a conversation recording button is activated. Claims 1-4, 7 and 9-11 recite a user pre-recorded voice message. A synthesized intelligible voice is **NOT** a user pre-recorded voice message, as recited by claims 1-4, 7 and 9-11.

Moreover, Villa-Real fails to even mention a speakerphone, much less a record module that is adapted to record a receive signal from a telephone line during a conversation on a speakerphone where a message playback signal relating to a user pre-recorded voice message is combined with a receive signal by a summer while allowing simultaneous hearing by a local user of the speakerphone, as recited by claims 1-4, 7 and 9-11.

Sacca appears to disclose a speakerphone which employs non-linear amplifiers to compress transmit and receive signal (Abstract). Level detectors determine levels of the compressed transmit and receive signal (Sacca, Abstract). Selector switches permit the connection of a combined source signal and a signal from a handset microphone for transmission to a telephone line (Sacca, col. 8, lines 39-43). The combined source signal carries one or more

alternate signal sources, e.g., tape playback, tones, synthesized speech, etc. for transmission over the telephone line (Sacca, col. 8, lines 43-49).

Sacca discloses a combined source signal comprising one or more alternate signal sources, e.g., tape playback, tones, synthesized speech, etc. for transmission over the telephone line. Sacca's invention is directed toward transmitting a plurality of signals. Sacca fails to disclose a record module, much less a record module that is adapted to record a receive signal from a telephone line during a conversation on a speakerphone where a message playback signal relating to a user pre-recorded voice message is combined with a receive signal by a summer while allowing simultaneous hearing by a local user of the speakerphone, as recited by claims 1-4, 7, 9-11, 14-17, 19, 20 and 22.

Neither Chamberlin, Villa-Real, nor Sacca, either alone or in combination, disclose, teach or suggest a message playback signal relating to a user pre-recorded voice message, much less a record module that is adapted to record a receive signal from a telephone line during a conversation on a speakerphone where a message playback signal relating to a user pre-recorded voice message is combined with a receive signal by a summer while allowing simultaneous hearing by a local user of the speakerphone, as recited by claims 1-4, 7, 9-11, 14-17, 19, 20 and 22.

Claims 14, 15, 17 and 20 recite, *inter alia*, summing a playback message signal comprising a user recorded voice message together with a hybrid echo canceled signal in a receive path, and recording a receive signal during a conversation on a speakerphone.

As discussed above, Chamberlin discloses a modular dictation/transcription system with a telephone module that has speakerphone capability.

The Office Action correctly acknowledged that Chamberlin fails to disclose recording a receive signal while the receive signal is summed with a message playback signal during a telephone conversation (Office Action, page 6). The Office Action relied on Villa-Real and Sacca to allegedly make up for the

deficiencies in Chamberlin to arrive at the claimed invention. The Applicants respectfully disagree.

As discussed above, Villa-Real discloses, and is relied on to disclose, playing back a pre-recorded advisory message during a telephone conversation when a conversation recording button is activated (Office Action, page 6). Claims 14, 15, 17 and 20 fail to recite playing back a pre-recorded advisory message during a telephone conversation when a conversation recording button is activated. Claims 14, 15, 17 and 20 recite a user recorded voice message. A synthesized intelligible voice is **NOT** a user recorded voice message, as recited by claims 14, 15, 17 and 20.

Sacca discloses a combined source signal comprising one or more alternate signal sources, e.g., tape playback, tones, synthesized speech, etc. for transmission over the telephone line. Sacca's invention is directed toward transmitting a plurality of signals. Sacca fails to disclose a playback message signal used **in conjunction with** recording a receive signal, as recited by claims 14, 15, 17 and 20.

Neither Chamberlin, Villa-Real nor Sacca, either alone or in combination, disclose, teach or suggest summing a playback message signal comprising a user recorded voice message together with a hybrid echo canceled signal in a receive path, and recording a receive signal during a conversation on a speakerphone, as recited by claims 14, 15, 17 and 20.

Claims 16 and 19 recite, *inter alia*, injecting an electrical signal corresponding to a played back voice message recorded on a near end voice messaging system into a telephone call such that individual users at either end of the telephone call can hear the played voice message and concurrently converse with one another as desired and recording an incoming voice signal associated with said telephone call during a conversation on a speakerphone.

The Office Action correctly acknowledged that Chamberlin fails to disclose playing back a voice message during a telephone conversation, as recited by claims 16 and 19. The Office Action relies on Villa-Real and Sacca to allegedly make up for the deficiencies in Chamberlin to arrive at the claimed invention. The Applicants respectfully disagree.

The Office Action relies on the Villa-Real to disclose playing back a pre-recorded advisory message during a telephone conversation when a conversation recording button is activated (Office Action, page 8). However, the claims fail to recite playing back a pre-recorded advisory message during a telephone conversation when a conversation recording button is activated. The claims recite a played back voice message recorded on a near end voice messaging system. A synthesized intelligible voice is **NOT** a voice message recorded on a near end voice messaging system, as recited by claims 16 and 19.

As discussed above, Sacca's invention is directed toward transmitting a plurality of signals. Sacca fails to disclose or suggest recording an incoming voice signal, much less injecting an electrical signal corresponding to a played back voice message recorded on a near end voice messaging system into a telephone call such that individual users at either end of the telephone call can hear the played voice message and concurrently converse with one another as desired and recording an incoming voice signal associated with said telephone call during a conversation on a speakerphone, as recited by claims 16 and 19.

Neither Chamberlin, Villa-Real nor Sacca, either alone or in combination, disclose, teach or suggest injecting an electrical signal corresponding to a played back voice message recorded on a near end voice messaging system into a telephone call such that individual users at either end of the telephone call can hear the played voice message and concurrently converse with one another as desired and recording an incoming voice signal associated with said telephone call during a conversation on a speakerphone, as recited by claims 16 and 19.

Claim 22 recites, *inter alia*, activating a speakerphone operation of a near end telephone system, playing back a voice message recorded on a near end telephone system while a call is established, and while the speakerphone operation is activated, recording a conversation utilizing the speakerphone.

The Office Action correctly acknowledged that Chamberlin fails to disclose a message playback signal that is combined with a receive signal by a summer, allowing simultaneously hearing by a local user of a speakerphone (Office Action, page 3). The Office Action relies on Villa-Real and Sacca to allegedly make up for the deficiencies in Chamberlin to arrive at the claimed invention. The Applicants respectfully disagree.

The Office Action relies on the Villa-Real to disclose playing back a pre-recorded advisory message during a telephone conversation when a conversation recording button is activated (Office Action, page 8). However, claim 22 fails to recite playing back a pre-recorded advisory message during a telephone conversation when a conversation recording button is activated. Claim 22 recites a played back voice message recorded on a near end voice messaging system. A synthesized intelligible voice is **NOT** a voice message recorded on a near end voice messaging system, as recited by claim 22.

As discussed above, Sacca's invention is directed toward transmitting a plurality of signals. Sacca fails to disclose perform any type of recording while a speakerphone is activated, much less activating a speakerphone operation of a near end telephone system, playing back a voice message recorded on a near end telephone system while a call is established, and while the speakerphone operation is activated, recording a conversation utilizing the speakerphone, as recited by claim 22.

An advantage of being able to playback a voice message while recording a conversation using a speakerphone is, e.g., to create a record of a response to a user recorded voice message. A person listening to a voice message may comment on the voice message while a conversation is taking place. Being able to record a listener's response to a voice message while it is playing prevents the listener from later denying a response after having time to think about what was said. The cited prior art fails to disclose, teach or suggest such an advantage.

Accordingly, for at least all the above reasons, claim 1-4, 7, 9-11, 14-17, 19, 20 and 22 is patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Claims 5, 6, 8, 12, 13, 18 and 21 over Chamberlin in view of Villa-Real, Sacca and Li**

In the Office Action, claims 5, 6, 8, 12, 13, 18 and 21 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Chamberlin, in view of Villa-Real, in view of Sacca and further in view of Li, U.S. Patent No. 5,612,996 (“Li”). The Applicants respectfully traverse the rejection.

Claim 5, 6, 8, 12, 13 18 and 21 are dependent on claims 1, 16 and 19, and is allowable for at least the same reasons as claims 1, 16 and 19.

Claims 5, 6, 8, 12 and 13 recite, *inter alia*, a record module that is adapted to record a receive signal from a telephone line during a conversation on a speakerphone where a message playback signal is combined with a receive signal by a summer while allowing simultaneous hearing by a local user of the speakerphone. Claims 18 and 21 recite, *inter alia*, playing back a **voice message recorded on a near end voice messaging system** while a telephone call remains established and recording an incoming voice signal during a conversation on a speakerphone.

As discussed above, neither Chamberlin, Villa-Real nor Sacca, either alone or in combination, disclose, teach or suggest recording a receive signal and an incoming voice signal, **in conjunction with** combining a message playback signal and a played back voice message with a telephone signal, as recited by claims 5, 6, 8, 12, 13, 18 and 21.

The Office Action relies on Li to allegedly make up for the deficiencies in Chamberlin, Villa-Real nor Sacca to arrive at the claimed invention. The Applicants respectfully disagree.

Li appears to disclose a loop gain processing scheme for a speakerphone (Abstract). A system loop gain is determined according to two echo feedback paths within the speakerphone system (Li, Abstract). Li teaches the prior art had used a gain module comprised of an automatic gain control in conjunction with a receive channel gain adjustment (Li, Fig. 1; col. 3, lines 44-52).

Li discloses gain control for a speakerphone. Li fails to disclose any type of record module, much less a record module adapted to record a receive signal from a telephone line during a conversation on a speakerphone, much less recording a receive signal and an incoming voice signal, in conjunction with combining a message playback signal and a played back voice message with a telephone signal, as recited by claims 5, 6, 8, 12, 13, 18 and 21.

Neither Chamberlin, Villa-Real, Sacca nor Li, either alone or in combination, disclose, teach or suggest recording a receive signal and an incoming voice signal, in conjunction with combining a message playback signal and a played back voice message with a telephone signal, as recited by claims 5, 6, 8, 12, 13, 18 and 21.

Accordingly, for at least all the above reasons, claims 5, 6, 8, 12, 13, 18 and 21 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.



**Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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